



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ignacio Muñoz-) Group Art Unit: Unknown
Guerra, et al.)
) Examiner: Unknown
Appln. No.: 10/606,321)
)
Filed: June 25, 2003) **PETITION UNDER 37 C.F.R. 1.47**
)
For: Conveyor Belt Assembly)
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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a petition under 37 C.F.R. 1.47. The subject application was filed on behalf of Inventors Ignacio Muñoz-Guerra, Ariel Caraballo, Francisco Rosario, Carmelo Arroyo and Geovanny Lopez. Inventors Ignacio Muñoz-Guerra, Ariel Caraballo, Francisco Rosario and Carmelo Arroyo have executed a declaration for the application, and have assigned their entire interest to Autopak Engineering Corp. A copy of the declaration and assignment documents are enclosed herewith.

As set forth in the attached declaration of Ignacio Muñoz-Guerra, this application is a continuation-in-part of U.S. Patent No. 6,612,426, which has the same inventors as this application. This application claims subject matter

previously disclosed in U.S. Patent No. 6,612,426, as well as subject matter discovered after the filing of, and so not disclosed in, U.S. Patent No. 6,612,426.

Geovanny Lopez is included as an inventor in this application due to his contribution to the subject matter disclosed in U.S. Patent No. 6,612,426 and claimed in this application. Geovanny Lopez, however, did not contribute to the subject matter claimed in this application which was discovered after filing U.S. Patent No. 6,612,426. Since Geovanny Lopez has already transferred his entire interest in U.S. Patent No. 6,612,426 and the inventions disclosed therein to Autopak Engineering Corp. through an assignment which has been recorded in the U.S. Patent and Trademark Office on January 17, 2001, at reel 011454, frame 0948, it is respectfully submitted that Autopak Engineering Corp. has been assigned all rights, title and interest to the inventions claimed in this application.

Notwithstanding the forgoing, as set forth in the declaration of Astrid M. Rodríguez Medina, Autopak Engineering Corp. has made repeated efforts to obtain a declaration and assignment for this application from Geovanny Lopez. Unfortunately those efforts have been fruitless. For purposes of 37 C.F.R. 1.47, Geovanny Lopez

cannot be found or reached after diligent effort for the purpose of obtaining a declaration and assignment.

Geovanny Lopez' last-known mailing address is:

Geovanny Lopez
P.O. 1654
Dorado, PR 00646

In view of the forgoing, it is respectfully submitted that Autopak Engineering Corp. has a sufficient proprietary interest to make the subject application. Failure to grant this petition would cause irreparable damage to Autopak Engineering Corp. and to the other four inventors. The filing date of the subject application is necessary to preserve the rights and interests of Autopak Engineering Corp. and the other inventors.

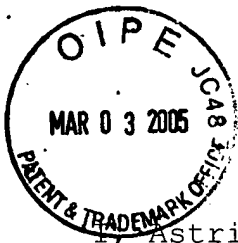
Accordingly, it is respectfully requested that the application be made by Autopak Engineering Corp. under the provisions of 37 C.F.R. 1.47(b). In the alternative, if such petition is denied, it is respectfully requested that the application be made by the four inventors that have executed the subject application under the provisions of 37 C.F.R. 1.47(a).

Respectfully submitted,

Date: 2/28/05

By: 

Heath W. Hoglund
Registration No. 41,076
256 Eleanor Roosevelt
San Juan, PR 00918
Telephone: 787-772-9200
Facsimile: 787-772-9533



DECLARATION

I, Astrid M. Rodríguez Medina, do hereby declare:

1. I am the operations director of AutoPak Engineering, Corp. I have been employed by AutoPak Engineering during the time period in which the facts set forth in this Declaration arose.
2. Geovanny López is a named co-inventor of U.S. Patent Application No. 10/606,321, filed June 25, 2003, and titled "Conveyor Belt Assembly."
3. Geovanny López was formerly but no longer is an employee of AutoPak Engineering Corp.
4. I have repeatedly attempted to contact Geovanny Lopez to obtain his signature on a declaration and assignment for the above-mentioned patent application.
5. On January 27, 2005, I called Geovanny López at 877-211-4912 and was able to speak with him. He agreed to call me back so that we could arrange a time to have him sign the declaration and assignment. He did not, however, return the call.
6. On January 28, 2005, I again called and left a message requesting that he call to arrange a time to have him sign the declaration and assignment. He did not return the call.
7. On January 29, 2005, I again called but did not reach him.
8. On February 2, 2005, I again called but did not reach him.
9. On February 8, 2005, I again called and left a message requesting that he call to arrange a time to have him sign the declaration and assignment.
10. On February 15, 2005, I again called and left a message requesting that he call to arrange a time to have him sign the declaration and assignment.
11. Despite these repeated efforts, I have been unable to obtain his signature on the declaration and assignment.

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Feb. 24.05

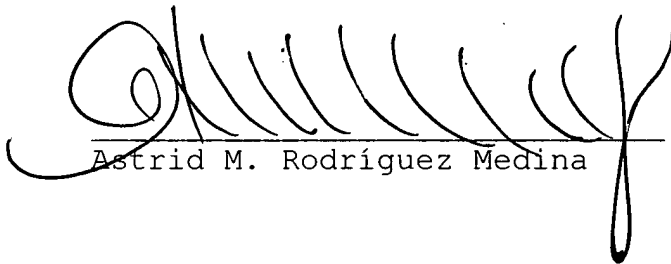
12. The last known postal address for Geovanny López is:

Geovanny López
P.O. 1654
Dorado, PR 00646

13. The last known physical address for Geovanny López is:

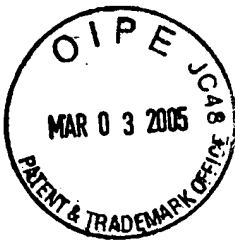
Geovanny López
Costa de Oro
Calle B, #87
Dorado, PR 00646

14. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001. I acknowledge that such willful false statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.



Astrid M. Rodríguez Medina

Feb. 24. 2005
Date



DECLARATION

I, Ignacio Muñoz-Guerra, do hereby declare:

1. I am the general manager of Autopak Engineering, Corp. I have been employed by Autopak Engineering during the time period in which the facts set forth in this Declaration arose.

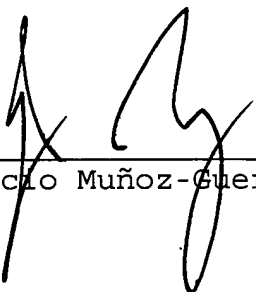
2. In addition to myself, Ariel Caraballo, Francisco Rosario, Carmelo Arroyo and Geovanny Lopez are named co-inventors of U.S. Patent Application No. 10/606,321, filed June 25, 2003, and titled "Conveyor Belt Assembly." This application is a continuation-in-part of U.S. Patent No. 6,612,426, filed October 24, 2000, and titled "Conveyor Belt Assembly," with the same inventors.

3. Geovanny Lopez transferred his entire interest in U.S. Patent No. 6,612,426 and the inventions disclosed therein to Autopak Engineering Corp. through an assignment which has been recorded in the U.S. Patent and Trademark Office on January 17, 2001, at reel 011454, frame 0948.

4. U.S. Patent Application No. 10/606,321 claims subject matter previously disclosed in U.S. Patent No. 6,612,426.

5. U.S. Patent Application No. 10/606,321 also claims subject matter discovered after the filing of, and so not disclosed in, U.S. Patent No. 6,612,426. Geovanny Lopez did not contribute to this additional subject matter.

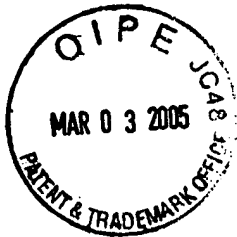
6. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001. I acknowledge that such willful false statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.



Ignacio Muñoz-Guerra

24/II/2005

Date

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare: My residence, post office address, and citizenship are as stated below next to my name. I believe that I am a joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: CONVEYOR BELT ASSEMBLY, which was filed on June 25, 2003 (U.S. Patent Application No. 10/606,321).

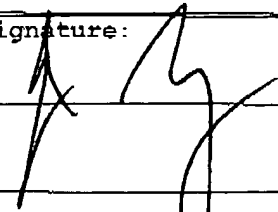
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information that is material to patentability as defined in 37 CFR §1.56.


I hereby appoint Heath W. Hoglund, Reg. No. 41,076, as my patent attorney with full power of substitution to prosecute the above-identified application and to transact all business in the Patent and Trademark Office connected therewith.

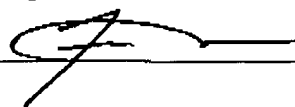
Please direct all future correspondence to:

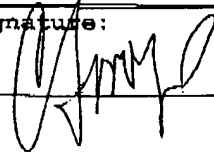
Customer Number 24,496.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Inventor:	Signature:	Date:
Ignacio Muñoz-Guerra		Feb. 25, 2005
Residence:		Citizenship:
San Juan, Puerto Rico		Spain
Post Office Address:		
P.O. Box 9024155, San Juan, PR 00902-4144		

Second Inventor: Ariel Caraballo	Signature: 	Date: Feb 28/05
Residence: Cidra, Puerto Rico		Citizenship: U.S.
Post Office Address: P.O. Box 9024155, San Juan, PR 00902-4144		

Third Inventor: Francisco Rosario	Signature: 	Date: Feb 25, 05
Residence: Caguas, Puerto Rico		Citizenship: U.S.
Post Office Address: P.O. Box 9024155, San Juan, PR 00902-4144		

Fourth Inventor: Carmelo Arroyo	Signature: 	Date: Feb 28, 05
Residence: Canóvanas, Puerto Rico		Citizenship: U.S.
Post Office Address: P.O. Box 9024155, San Juan, PR 00902-4144		

Fifth Inventor: Geovanny López	Signature:	Date:
Residence: Dorado, Puerto Rico		Citizenship: U.S.
Post Office Address: P.O. Box 9024155, San Juan, PR 00902-4144		